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COMMISSION ON HUMAN RIGHTS
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INFORMATION AND COMMENTS RECEIVED FROM GOVERNMENTS,
UNITED NATIONS BODIES, SPECIALIZED AGENCIES,
INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

Report of the Secretary-General

ANNEX

Submission from the Government of Mexico
dated 18 February 1998

18 February 1998

The Permanent Mission of Mexico to the international organizations with headquarters in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to Note G/SO 212/28 (1) from the Secretary-General of the United Nations, is pleased to enclose herewith the supplementary information provided by the Government of Mexico to question 3 of the questionnaire on the human rights of migrants prepared by the Commission on Human Rights working group on this subject.

The Permanent Mission of Mexico avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

XENOPHOBIA EXPERIENCED BY MEXICANS IN THE UNITED STATES

Migration between Mexico and the United States has become the subject of an increasingly strident anti-immigrant discourse. Expressions of xenophobia fuelled by political initiatives such as Save Our State (SOS), which grew into Proposal 187, have set the tone for an extension to the national level of a debate on migration characterized by anti-immigrant attitudes. These sentiments have been directed against Latin American migrants in general and Mexicans in particular. The discourse has been used both for politico-electoral purposes and as a justification for xenophobic actions on the part of individuals and civil organizations. The politico-electoral discourse has emphasized migrants' cost to society and has made no reference to the very important contributions migrants have made in the cultural, scientific, technical, social and economic spheres.

At the national level, the migration debate has drawn increasingly on attitudes showing a rejection of migrants. Although politicians refer to undocumented migration, a large segment of their audience has made no distinction, but has interpreted their message as a rejection of all migrants, including documented migrants. As a result, organizations and individuals have emerged with the aim of restructuring the social order through initiatives, some quite radical, others more moderate, but which all share the same basic objective: to reject, condemn and openly discriminate against migrants.

Organizations such as US Border Control (USBC), Video Organization Project (VIP), Negative Population Growth (NPG) and the Federation for American Immigration Reform (FAIR) have managed to collect significant funds to spread their xenophobic message throughout the country. By claiming that migrants are the main recipients of the country's social welfare, they identify them as people who come from abroad with the sole aim of becoming a burden on the rest of society. These organizations have fostered the idea that migrants are the cause of the biggest social ills: crime, the economic crisis, the changing moral order and even ecological imbalance. Voice of Citizens Together (VCT) targets the Mexican community in particular, organizing demonstrations on national holidays and devoting time and space on various radio stations to spelling out the need to militarize the southern border of the United States.

As a result of the anti-immigrant climate that has been created in various regions of the United States in recent years, there has been an increase in the protective function of Mexico's 42 consular offices there.

The blatant harassment experienced by our compatriots has been intensified as they confront an extremely restrictive new migration law and social welfare legislation reforms which will have highly adverse effects on all migrants, including documented migrants. The widespread publicity given to these changes in legislation has encouraged American society to step up a discourse based on xenophobic attitudes that give rise to distorted, negative perceptions of the image of migrants themselves and of the circumstances that prompted them to emigrate and may even lead to the migrant being defined as a delinquent and a criminal.

This situation is reflected in Mexican consular activity and an increase in the number of cases in which Mexicans in the United States fall victim to xenophobia and racism. In some cases, the very circumstances in which such harassment occurs make it difficult to determine whether they are cases of racism proper or whether they arise from xenophobia. What is important in terms of operational protection is to deal with each case immediately and to notify the local authorities of the rise of xenophobia and racism; distinguishing between the two thus becomes a secondary issue. It is therefore difficult to put an exact figure on cases of xenophobia, but what is certain is that the Mexican consulates in the United States come across hundreds of them every year.

In some cases, human rights violations committed against Mexicans in the United States have been accompanied by clearly xenophobic statements on the part of the authorities. Generally speaking, these are made by local police officials who have mistakenly interpreted the anti-immigrant climate and the changes in legislation as national anti-immigrant sentiment justifying action of this kind. However, in more serious cases, racist and xenophobic attitudes have become the foundation of local policies.

An example of this occurred on 27 June 1997 in Chandler, Arizona. The local police, having singled out individuals solely on the basis of their ethnic appearance, spent several days detaining them and questioning them on their migrant status. Afterwards, they notified the migration authorities, who discovered that a number of the detainees were United States citizens or legal residents of the country.

In a number of regions of the United States, civilians have taken it upon themselves to pursue and detain migrants and bring them before the migration authorities in order to obtain a ruling on whether or not they are in the country legally. Cases of this kind have occurred in rural areas of Arizona, California and Texas.

Other incidents are typified by the actions of the Citizens Patrol, an organization that has detained and questioned individuals at San Diego airport purely on the basis of their physical appearance in order to bring them before the migration authorities.

In addition to the incidents mentioned, there have been others of a widely varied nature, in which not only individuals, but also small social groups organized with the prime aim of carrying out such action, have displayed xenophobia.

In uncovering and investigating such incidents, the Mexican consulates have the support and collaboration of non-governmental organizations (NGOs) dedicated to the defence of human rights and migrant welfare. Such support is particularly valuable in cases involving migrant minors and women. Since this population group increasingly feels that it should maintain a low profile, there are also many victims of abuses of this kind who are afraid to report them to any authority, including those of their own country. In this regard, NGOs have made an invaluable contribution in bringing migrants to consulates to lodge complaints.

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